



Order Filed on October 26, 2016  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

1 UNITED STATES BANKRUPTCY COURT  
2 DISTRICT OF NEW JERSEY

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14 ATTORNEYS FOR THE DEBTOR(S)

10 In Re:

11 THOMAS A. SGHERZI DEBTOR(S)

Case No.: 15-27936 (JKS)

Adv. No.:

Hearing Date: N/A

Judge: JOHN K. SHERWOOD

15 ORDER AUTHORIZING LOAN  
16 MODIFICATION AND FOR OTHER RELIEF

17 The relief set forth on the following pages, two (2) through four (4) is  
18 hereby ORDERED:

22 DATED: October 26, 2016

23   
24 Honorable John K. Sherwood  
25 United States Bankruptcy Court  
26  
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Debtor: Thomas A. Sgherzi, Debtor(s)

Case no.: 15-27936 JKS

Caption of order: Order Authorizing Loan Modification and for  
Other Relief

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1. That the Debtor be and is hereby authorized to enter into and consummate a loan modification with Nationstar Mortgage, LLC ('Nationstar'), pursuant to the terms and conditions of the proposed loan modification, relating to real property located at 1008 Columbia Avenue, North Bergen, New Jersey and the loan modification be and is hereby approved.

2. That the Debtor and/or Nationstar, be and are authorized to enter and consummate any transaction necessary and incident to the loan modification relating to this property, the sole exception being the transfer of the property or an interest in the property by the Debtor(s) to someone else.

a. Limited automatic stay relief is granted, to allow Nationstar, to negotiate any such agreement with the Debtor or counsel, enter into and sign a loan modification agreement, and record any documents with the appropriate county recorders office without such action being considered a violation of the automatic stay.

3. That the Debtor and/or Nationstar, are authorized to negotiate and prepare the terms or documents relating to a loan modification, or any necessary transaction incident to a loan modification agreement, such as, but not limited to the circumstances described above, with respect to this property and

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Debtor: Thomas A. Sgherzi, Debtor(s)

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any such negotiation and/or preparation of documents and/or  
recording of documents, by the parties shall not considered to  
be a violation of the automatic stay and are specifically  
authorized by the Court.

4. That any communication by the parties relating to the  
loan modification shall be considered to be negotiations,  
pursuant to the Rules of Evidence, and shall not be used by  
either party against the other in the context of any subsequent  
litigation in this Court or any state court, federal court or  
non-judicial forum.

5. That nothing in this order shall be construed as a  
modification of the plan.

6. That the mortgage company and/or mortgage servicer may  
not persuade the Debtor(s) to dismiss this case in order to  
consummate a loan modification.

7. That because the mortgage is being modified and the  
arrears (arrears may include pre-petition sums due or post-  
petition arrears) are being addressed in the new mortgage, the  
pre-petition arrearage claim, filed by Nationstar, or its  
predecessors, assignees or successor in interest, docketed as  
claim number six (6) shall not be paid and the Trustee shall not  
make any payments/disbursements on this pre-petition arrearage

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Debtor: Thomas A. Sgherzi, Debtor(s)

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claim. Any post-petition sums added to the plan shall similarly  
not be paid by the Trustee as they would be incorporated into  
the new mortgage. If the modification is not consummated for  
any reason, Nationstar, may, at any time during the pendency of  
this case, re-list the matter for further hearing, otherwise,  
this order shall be deemed final.

**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Thomas A Sgherzi  
Debtor

Case No. 15-27936-JKS  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 26, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 28, 2016.

db +Thomas A Sgherzi, 1008 Colombia Avenue, North Bergen, NJ 07047-1631

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 28, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 26, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON, Et Al...  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Herbert B. Raymond on behalf of Debtor Thomas A Sgherzi bankruptcy123@comcast.net,  
jeff.raymond@comcast.net; raymondmail@comcast.net; carol-raymond@comcast.net; bankruptcyattorneys@comcast.net; herbertraymond@gmail.com; carbonell\_c@hotmail.com; kdelyon.raymond@gmail.com  
Jeanette F. Frankenberg on behalf of Creditor Nationstar Mortgage LLC, as servicer for The Bank of New York Mellon f/k/a The Bank of New York as Trustee for First Horizon Alternative Mortgage Securities Trust 2006-FA6 cmecf@sternlav.com  
Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 4